

UNIVERSITY OF ILLINOIS
AT URBANA – CHAMPAIGN



Office of Diversity, Equity and Access
1004 South Fourth Street, Suite 310
Champaign, Illinois 61820

August 28, 2017

CONFIDENTIAL INVESTIGATIVE REPORT
Lee Waldrep – Sexual Harassment Allegations

I. Summary

This investigation emanates from the complaints of eight students who allege that they were sexually harassed by the administrator of the undergraduate student services office, Lee Waldrep, while enrolled in classes at the University's School of Architecture ("School"). Through their complaints, the students allege that Dr. Waldrep tended to single out female students for unwanted attention, touching, and other conduct that they deemed to cross professional boundaries.

The complainants, who expressed a desire to have their identities remain confidential, submitted individual complaints with the Office of Diversity, Equity and Access ("ODEA") over the course of a month from March 10 through April 11, 2017. Upon learning of the allegations, the School removed all meetings with female students from Dr. Waldrep's calendar. In addition, ODEA informed Dr. Waldrep through a March 14, 2017 email of the allegations that had been brought against him and directed him to avoid any one-on-one contact or meeting with any female students during the pendency of the investigation. Because ODEA received reports that Dr. Waldrep was continuing to touch female students despite this directive, the School placed him on administrative leave as of April 5, 2017.

As part of its investigation, ODEA interviewed seven of the eight complainants between March 15 and April 7, 2017. One complainant could not be interviewed because her complaint was submitted anonymously. In addition, ODEA interviewed seven witnesses who consisted of members of the faculty, staff and student body at the School. After gathering the details of the underlying allegations, ODEA interviewed Dr. Waldrep on April 21, 2017.

Based upon the facts that were gathered during the course of the investigation, I conclude that Dr. Waldrep engaged in conduct that violated the University of Illinois at Urbana-Champaign's ("University") sexual misconduct policy, as well as its Code of Conduct. The investigation revealed that Dr. Waldrep engaged in harassing conduct of a sexual nature that was so pervasive and so undermined and detracted from those students' educational experience as to effectively deny those students equal access to the School's educational opportunities and benefits.


II. Allegations and Response

A. Complainants' Allegations

Each of the complainants who were interviewed described Dr. Waldrep in a similar fashion, finding him to be overly friendly, touchy, and rather “creepy.” Each complainant recounted incidents in which he touched them or invaded their personal space in ways that made them feel uncomfortable. Through the evidence that they presented, the complainants portrayed Dr. Waldrep as an administrator who became overly engaged with female students and actively pursued opportunities to interact with them, either in person or electronically. Some students expressed concern over Dr. Waldrep photographing female students without their knowledge, and in light of past uncomfortable interactions with Dr. Waldrep, had concerns about how he used the photos. Dr. Waldrep was said to frequent the architecture studio in an attempt to interact with female students during their studio time and to engage them outside the School through texting, phone, email, and Facebook. As some complainants maintained, they could not pass Dr. Waldrep in the School without being stopped, being forced into a conversation, and being subjected to some type of physical touching by him. Dr. Waldrep exclusively directed this behavior toward female students. The male students received far less attention than the female students and were not touched by Dr. Waldrep.

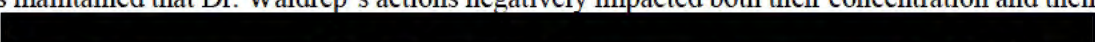
On those occasions when the complainants interacted with Dr. Waldrep in person, several described feeling trapped by him and being subjected to unwelcome touching. The complainants conveyed incidents in which Dr. Waldrep blocked their path on a stairwell, backed them into a railing or a wall, pinned their legs between his while sitting across from them, or stood uncomfortably close to them. The physical touching they endured included unsolicited and unwanted hugs, grabbing and holding their hands, touching or massaging their legs and thighs, rubbing or patting their backs and shoulders, and the touching their buttocks.

All but one of the complainants interviewed stated that they had been subjected to such touching on multiple occasions.



This pattern of behavior was so pervasive and well known within the School that on more than one occasion male members of the community felt the need to intervene on behalf of the female students who were subject to Dr. Waldrep's behavior.

This unwanted attention and physical touching by Dr. Waldrep caused the complainants to feel uncomfortable, embarrassed, shocked and nervous. In addition to feeling uncomfortable, two of the complainants maintained that Dr. Waldrep's actions negatively impacted both their concentration and their coursework.



Despite the harm that they were experiencing, the complainants were reluctant to report Dr. Waldrep's conduct because he was perceived in his administrative role as possessing influence and control over scholarship opportunities and their employment opportunities with architectural firms following college.

B. Dr. Waldrep's Response

Although Dr. Waldrep acknowledged interacting with students through social media, texting or calling them on their personal cellphones, visiting them during their studio time, and photographing them at School functions, he maintained that he did so for legitimate reasons related to his position. He also maintained that he does not interact differently with male and female students.

When confronted with specific examples of unwanted touching or feeling trapped that had been provided by the complainants, Dr. Waldrep either could not recall the underlying incident or denied having ever engaged in that type of conduct. Dr. Waldrep, for example, denied placing his legs around the legs of a female student, touching the legs of female students, touching their buttocks, or rubbing their backs. While he recognized that he possibly has held the hands of female students and has hugged students, he indicated that he seeks permission in advance of hugging someone and contended that his hugs were always appropriate. He denied receiving any verbal nor non-verbal cues from female students that would suggest that any of his interactions with them were unwelcomed.

III. Analysis and Findings

To establish a claim of sexual harassment under the University's nondiscrimination policies, the complainants must be able to establish by a preponderance of the evidence that they were subjected to harassing conduct by Dr. Waldrep that was so severe or pervasive and so undermined and detracted from their educational experience that they were effectively denied educational opportunities or benefits. A preponderance of evidence standard is met when the evidence offered in support of the claim is more convincing than the evidence that is offered to the contrary.

In assessing whether conduct rises to the level of actionable harassment, all of the circumstances should be considered, including the positions and ages of the harasser and the victims, the number of victims, whether the harassment was frequent, severe, humiliating, or physically threatening, and whether it effectively deprived the victims of educational opportunities or benefits. In making this assessment, the intent is to distinguish between conduct that is merely tinged with offensive sexual connotations and that which constitutes discrimination because of sex. Common sense, and an appropriate sensitivity to social context, should aid in identifying whether conduct is objectively hostile or abusive.

The conduct attributed to Dr. Waldrep did not consist of minor, isolated incidents. Instead, the evidence uncovered during the investigation revealed a pattern of behavior by Dr. Waldrep consisting of giving female students unwelcome attention and physically touching them, causing them emotional stress. Despite Dr. Waldrep's denials, I find that the more credible evidence establishes that he sought out interactions with female students at the School, which often resulted in him physically touching them. The complainants' experiences revealed consistent patterns of behavior, and six of the seven witnesses corroborated the complainants' narratives. Furthermore, the complainants do not stand to make any gains by reporting Dr. Waldrep's behavior. To the contrary, the complainants feel they are risking their future opportunities by filing complaints.

Although none of the touching endured by the complainants can be characterized as severe, the touching can be deemed to be pervasive given the number of incidents that have been reported by eight different complainants over a relatively short period of time. Furthermore, as Dr. Waldrep himself acknowledge during his investigative interview, much of the physical touching that is attributable to him is objectively offensive, such as touching or massaging a female student's thigh, rubbing her back, touching her buttocks or kissing her. Because of that touching and the fear of being trapped or cornered by Dr. Waldrep, the

impacted female students became uncomfortable attending the School, causing two to become distracted in their studies, one of whom sought out counseling and experienced a panic attack. Dr. Waldrep abused his power as an administrator at the School by engaging in inappropriate interactions with and touching female students when he saw them in the School or they came to his office for academic advice. The disparity in power between the impacted college-aged female students and Dr. Waldrep, a middle-aged, seasoned administrator who potentially could impact their ability to obtain employment in their field following graduation, trapped the complainants into accepting his unwanted attention and physical touching and into enduring their environment.

IV. Conclusion

The totality of the circumstances in this case support a finding that Dr. Waldrep engaged in harassing conduct that was so pervasive and so undermined and detracted from the affected students' educational experience that those students were effectively denied educational opportunities or benefits. As such, I must conclude that Dr. Waldrep sexually harassed female students in violation of University policy. In my opinion, through this conduct, Dr. Waldrep also violated the University's Code of Conduct. That Code requires employees of the University to conduct themselves in a manner that will maintain and strengthen the public's trust and confidence in the integrity of the University and take no actions incompatible with their obligations to the University.

Given this determination, I normally would recommend to the School that adverse action be taken against Dr. Waldrep based upon his inappropriate interactions with female students. It is my understanding, though, that Dr. Waldrep already has elected to resign from his position with the University. In light of that, I recommend that Dr. Waldrep be permanently barred from seeking reappointment with the University.

In addition, I recommend that the School undertake training for staff and faculty that would reinforce knowledge about when and where they are to report sexual harassment.

With this report, ODEA hereby concludes its investigation into the allegations brought against Dr. Waldrep. In accordance with the applicable policies and procedures, the head of the School of Architecture is required to submit a response to this report and its recommendations within twenty-eight (28) calendar days after receiving it. The complainants and Dr. Waldrep will then have fourteen (14) calendar days after the department head's decision is rendered to appeal that decision or any part of this report.

This report is deemed to be private and confidential, and therefore, is not be shared or circulated to others except to the extent necessary for implementing the recommendations contained within this report.

Respectfully submitted,



Claire Sharples Brooks
Equal Employment Opportunity Investigator

8/28/17

Date

UNIVERSITY OF ILLINOIS
AT URBANA-CHAMPAIGN

College of Fine and Applied Arts

Office of the Dean
00 Architecture Building
608 East Lorado Taft Drive
Champaign, Illinois 6 820



September 15, 2017

Claire Sharples Brooks
Equal Employment Opportunity Investigator
Office of Diversity, Equity and Access
University of Illinois at Urbana-Champaign
1004 South Fourth Street, Suite 310
Champaign, IL 61801

Dear Ms. Brooks,

On August 28, 2017, I received your confidential investigative report on the sexual harassment allegations against Dr. Lee W. Waldrep, formerly the Administrator for Undergraduate Student Services in the School of Architecture. I am responding to the report as the immediate former Director of the School of Architecture and now the Interim Dean of the College of Fine and Applied Arts, in which the School is located.

I accept your conclusion “that Dr. Waldrep sexually harassed female students in violation of University policy” and concur with your opinion that he also violated the University’s Code of Conduct. As you know, Dr. Waldrep elected to resign from the University effective August 15, 2017, so it will not be possible to take adverse employment action against him, as would have been my recommendation were he still an employee of the University.

Additionally, you “recommend that the School undertake training for staff and faculty that would reinforce knowledge about when and where they are to report sexual harassment.” I accept this recommendation. The College will join ODEA in ensuring that all staff and faculty in the School complete the recommended training within one month after your investigative report is finalized. It is essential that the School’s staff and faculty have an actionable understanding of their status and obligations as “responsible employees,” as defined in Title IX of the Education Amendments of 1972.

Further, when the School undertakes to fill the vacant Administrator for Undergraduate Student Services position, or a functionally similar position, I will expect that the job description submitted to the College for approval will stress that the successful candidate must have experience with university policies and procedures that address gender bias in higher education, and that the individual has experience promoting gender equity in a higher education or other professional setting.

Claire Sharples Brooks

September 15, 2017

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Thank you for your thorough investigation of the allegations laid against Dr. Waldrep. I deeply regret that he brought harm to women enrolled in the School, and by means of this letter I wish to express gratitude to the complainants for reporting the harassment they experienced or witnessed.

Sincerely,

A solid black rectangular box used to redact the signature of Peter Mortensen.

Peter Mortensen

Interim Dean, College of Fine and Applied Arts (beginning August 16, 2017)

Director, School of Architecture (ending August 15, 2017)